EXHIBIT "H"

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA **NORTHERN DIVISION**

PIONEER SERVICES, INC.,	
Plaintiff,))) CiVIL ACTION NO.; 2:06-cv-377-WKW
v.	
AUTO-OWNERS INSURANCE COMPANY, INC., et al.,	
Defendants.)
STATE OF Mwyork)
COUNTY OF TANGLESS)

AFFIDAVIT OF WILLIAM SHERMAN

Before me, the undersigned authority, personally appeared William Sherman, who being by me first duly sworn doth depose and says as follows:

My name is William Sherman. I am over the age of 19 years of age. I have personal knowledge of the facts contained in this affidavit

I am a senior forensic meteorologist with CompuWeather, Hopewell Junction, New York, a meteorological consulting firm CompuWeather has provided reliable expert weather services to the insurance, legal and engineering profession for over thirty years. CompuWeather reports are prepared after a review of Official National Weather Service records. I have testified as an expert witness in federal court and in state courts. I have a Bachelor of Science degree in Meteorology from the City College of New York. I have provided expert meteorological testimony in over 75 cases A copy of my Vita is attached

to this affidavit I am qualified to render the opinions expressed in this report as set forth below and in the attachments to this report.

CompuWeather was requested by Auto-Owners Insurance Company to provide a lightning report to Auto-Owners for the location at 1833 East Three Notch Street, Andalusia, Alabama 36421, and a search radius of five miles of said location. Following the request by Auto-Owners, I reviewed lightning data from Vaisala Inc. at 2705 East Medina Road, Tucson, Arizona 85706 for the period requested. The time period for which the weather data was reviewed in this case was for the 48 hour period beginning September 15, 2004 at 4:00 p.m EDT. Based upon my review of the data set forth above, it is my opinion that it can be stated with a reasonable degree of meteorological certainty that for the period commencing September 15, 2004 at 4:00 p.m. EDT until September 17, 2004 at 3:59 p.m., EDT there was no lightning or lightning strikes detected withing a five mile radius of 1833 East Three Notch Street, Andalusia, Alabama 36421.

A copy of CompuWeather's Strike Net Report 78828 provided to Auto-Owners

Insurance Company on February 2, 2005, is attached hereto

The statements contained in this affidavit are based on my education, knowledge, experience, and the facts and information provided to me, and are true and correct to the best of my knowledge, information and belief.

WILLIAM SHERMAN

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KAREN M. KARATH Notary Public, State of New York No. 01 KA6038135 Qualified in Dutchess County

Commission Expires March 6, 20 /

STATE OF Mulfork)	
country of <u>Dutchess</u>)	
Sworn to and subscribed to before	me this the Ale day of Fibruary 2007.
N	Haren M. Karafle otary Public

(SEAL)

My Commission Expires: _

KAREN M. KARATH Notary File 10 Date of New York Feb. of K. 2008135 Qualified in Dutchess County Commission Expires March 8, 20



William Sherman

Senior Forensic Meteorologist Expert Witness



Professional Experience

1991-Present CompuWeather, Hopewell Junction, NY

• Senior Forensic Meteorologist

Expert Witness

1982 -1991 WCBS-TV, New York, NY

Member of Forecaster Operations Group
 Broadcast Meteorological Support Team

Weather Hotline Manager

1987 - Present The City College of New York, New York, NY

• Teaching Assistant - SPISE Meteorology Program

1981-1982 National Weather Service, Silver Spring, MD

Meteorology Trainee / Forecaster

1981 National Weather Service, Garden City, NY

Meteorology Trainee / Hydrology

1980 WCBS-TV, New York, NY

Assistant Meteorologist

1973-1975 United States Air Force - Active Duty

Medical Laboratory Technician

Education

1983 The City College of New York, B.S. Meteorology

FROM: PATRICIA ROBERTSON

FAX: 800-825-4441

COMPU-WEATHER, INC.

800-343-4567 ext. 1215

FEB 02 2005 1:31PM HP LASERJET 3200

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DATE: 2-2-05

FAX # 334-271-048/

RE: 37-4873-04

COMMENTS:

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STRIKEnet Report 78928

Reference:

a(09172004ff

Reference: ai09172004fi Start Time
Ordered by: Compu Weather Inc Compu Compu Weather Inc Conter
2566 Route 52 Latitude

Hopewell Jct , NY 12533 USA

Start Time 09/15/2004 16:00:00 EDT 09/17/2004 15:59:59 EDT

Center

-86,4625 Longitude

31 3242

1833 East Three Notch Street Andalusia Al. 36421-2438 US

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Lightning WAS NOT detected within the search area and time span

FEB 02 2005 1:31PM HP LASERJET 3200 P 3

STRIKEnst Report 78828

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Reference: Ordered by:	al09172004ff Compu-Weather Inc	Start Time End Time		2004 16:00:00 ET 2004 15:59:59 ET	
·	Compu-Weather Inc 2568 Route 52	Center Latitude	31 324	2	
Hopewell Jot, NY 12533 USA	Center Longitude	86 4625 1833 East Three Notch Street Andalusia AL 36421 2438 US			
					Location
		Search Radius	6 00 m	ī	
Date/Ti	ne jatitude	i engitude	ķĀ	Bearing	Range

No strikes detected within the search area